

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In re: ) Chapter 11 Case No. 20-10049-TPA  
          )  
TRI-STATE PAIN INSTITUTE, LLC,     ) Related to Doc. No. 527, 729  
Debtor                                )  
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In re:                                ) Chapter 11 Case No. 20-10334-TPA  
          )  
JOSEPH M. THOMAS, M.D.,         ) Related to Doc. No. 377, 510  
Debtor                                )  
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In re:                                ) Chapter 11 Case No. 21-10118-TPA  
          )  
2374 VILLAGE COMMON DRIVE, LLC,     ) Related to Doc. No. 100, 187  
Debtor                                )  
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**STIPULATION AND CONSENT ORDER**

AND NOW, this 30th day of August, 2021, comes Quinn, Buseck, Leemhuis, Toohey, & Kroto, Inc., (“Quinn Law”), Marsh Spaeder Baur Spaeder & Schaaf, LLP (“Marsh Spaeder”), MacDonald Illig Jones & Britton, LLP (“MIJB”), and Knox McLaughlin Gornall & Sennett, P.C. (“Knox Law”) (together referred to as the “Estate Professionals”), and Wells Fargo Bank National Association, by and through their undersigned counsel, and file this Stipulation and Consent Order (the “Stipulation”), as follows:

WHEREAS, pursuant to Paragraph 10 of this Court’s Order dated May 13, 2021 (Doc. No. 142 in Case No. 21-10118; Doc. No. 425 in Case No. 20-10334), \$33,000 was earmarked as a carve-out for the benefit of the U.S. Dept. of Justice, Office of the United States Trustee (the “U.S. Trustee”) in the event it was determined that quarterly fees were due on the credit bid sale;

WHEREAS, it has been determined by the U.S. Trustee that said funds are not due and payable on the credit bid sale, and the U.S. Trustee has no objection to the disbursement of said funds as otherwise permitted under the Bankruptcy Code;

WHEREAS, Quinn Law has additional funds escrowed from the following:

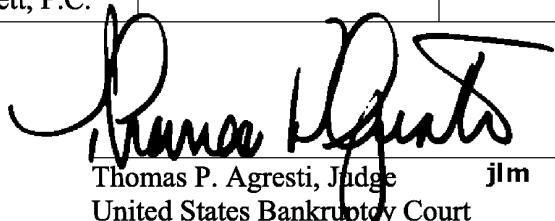
1. \$21,936.14 from the Court-approved sale of Joseph M. Thomas, M.D.'s 2106 Ford F-150 Moab;
2. \$6,240.76 from the return of a utility deposit to 2374 Village Common Drive, LLC;
3. \$7,375.89 in retainer for 2374 Village Common Drive, LLC; and
4. Approximately \$6,000.00 in cash collateral deposits from Joseph M. Thomas, M.D. for the payment of professional fees;

WHEREAS, upon consideration of the allowed and pending fee applications, it appearing that there are approximately \$74,500 of funds escrowed with Quinn Law that are available for distribution to the Estate Professionals in these Cases;

It is ORDERED that said \$74,500 shall be paid to the Estate Professionals on account, as follows:

<b>PAYEE</b>	<b>PERCENT OF AVAILABLE CASH</b>	<b>AMOUNT TO BE PAID</b>
Michael P. Kruszewski, Esquire Quinn Law Firm	52%	\$38,528.41
Gary V. Skiba, Esquire Marsh Schaaf, LLP	18%	\$13,296.15
Gary Eiben, Esquire MacDonald Illig Jones & Britton LLP	11%	\$8,248.83
Guy C. Fustine, Esquire Knox McLaughlin Gornall & Sennett, P.C.	19%	\$14,426.61

Dated: August 30, 2021



Thomas P. Agresti, Judge  
United States Bankruptcy Court

STIPULATED TO BY:

/s/ Gary V. Skiba  
Gary V. Skiba, Esquire  
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Attorney for Tri-State Pain Institute, LLC

/s/ Michael P. Kruszewski  
Michael P. Kruszewski, Esquire  
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Attorney for Joseph M. Thomas, M.D. and  
2374 Village Common Drive, LLC

/s/ Guy C. Fustine  
Guy C. Fustine  
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Attorneys for the Official Committee of  
Unsecured Creditors for Tri-State Pain Institute,  
LLC

/s/ Gary Eiben  
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Special Counsel for Joseph M. Thomas, M.D.

By: /s/ Salene Mazur Kraemer  
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[skraemer@bernsteinlaw.com](mailto:skraemer@bernsteinlaw.com)  
Attorneys for Wells Fargo Bank National  
Association

In re:  
Joseph Martin Thomas  
Debtor

Case No. 20-10334-TPA  
Chapter 11

District/off: 0315-1  
Date Rcvd: Aug 30, 2021

User: culy  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

**Symbol      Definition**

- + Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Sep 01, 2021:**

<b>Recip ID</b>	<b>Recipient Name and Address</b>
sp	+ Gary Eiben, MacDonald Illig Jones & Britton, LLP, 100 State St., Ste. 700, Erie, PA 16507-1459

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Sep 01, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 30, 2021 at the address(es) listed below:

Name	Email Address
Andrew F Gornall	on behalf of Interested Party Barbara Noonan agornall@gornall-law.com
Ashley Mulryan	on behalf of Creditor Official Committee of Unsecured Creditors for Tri-State Pain Institute LLC amulryan@kmgslaw.com
Brian Nicholas	on behalf of Creditor PNC BANK NATIONAL ASSOCIATION bnicholas@kmllawgroup.com
Crystal H. Thornton-Illar	on behalf of Creditor The Kada Gallery cThornton-Illar@leechtishman.com bankruptcy@leechtishman.com;mproden@leechtishman.com;thornton-illarcr81012@notify.bestcase.com
Gary V. Skiba	on behalf of Interested Party Tri-State Pain Institute LLC gskiba@marshlaw.com, DGeniesse@marshlaw.com;rose227@hotmail.com

District/off: 0315-1

User: culy

Page 2 of 2

Date Rcvd: Aug 30, 2021

Form ID: pdf900

Total Noticed: 1

Guy C. Fustine

on behalf of Creditor Official Committee of Unsecured Creditors for Tri-State Pain Institute LLC mwernicki@kmgslaw.com, knoxbank@hotmail.com,burban@kmgslaw.com,amulryan@kmgslaw.com

Harry W. Greenfield

on behalf of Creditor WELLS FARGO BANK N.A. hgreenfield@bersteinlaw.com, lyoung@bersteinlaw.com

Jill Locnikar

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Michael P. Kruszewski

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Norma Hildenbrand, on Behalf of the United States Trustee by

on behalf of U.S. Trustee Office of the United States Trustee Norma.L.Hildenbrand@usdoj.gov

Office of the United States Trustee

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Salene R.M. Kraemer

on behalf of Creditor WELLS FARGO BANK N.A. skraemer@bersteinlaw.com, salene@ecf.courtdrive.com

TOTAL: 22